

02-22-01 A10:37



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

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U.S. APPLICATION NO. 09/744133	FIRST NAMED APPLICANT VITEK	ATTY. DOCKET NO. M 5405.214
KENNETH D SIBLEY MYERS BIGEL SIBLEY & SAIJOVE PO BOX 37428 RALEIGH, NC 27627		
DOCKETED By [Signature] Date 12/1/01		
INTERNATIONAL APPLICATION NO. PCT/US99/16338		
I.A. FILING DATE 19 JUL 99		PRIORITY DATE 21 JUL 98
DATE MAILED: 20 FEB 2001		

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
  - ☒ an Elected Office (37 CFR 1.495)
  - ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☐ a non-English language.
    - ☒ English.
  - ☐ Translation of the international application into English.
  - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments.
  - ☐ Translation of Article 19 amendments into English.
  - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_
  - ☒ Information Disclosure Statement(s) filed 19 JAN. 2001 and \_\_\_\_\_
  - ☒ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed \_\_\_\_\_
  - ☒ Verified Statement Claiming Small Entity Status.
  - ☐ Priority Document.
  - ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
  - ☐ Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

- ☐ PCT/DO/EO/917
- ☐ Notice of Defective Translation
- ☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Christine S. Washington  
 Telephone: 703-305-3752

FORM PTO 13900-5 DEPARTMENT OF COMMERCE U.S. PATENT AND TRADEMARK OFFICE REV. 5-94		ATTORNEY'S Docket No. 5405 214
<b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO.
INTERNATIONAL APPLICATION NO. PCT/US99/16338	INTERNATIONAL FILING DATE 19 July 1999	PRIORITY DATE CLAIMED 21 July 1998
TITLE OF INVENTION Transgenic Model of Human Oxidative Stress		
APPLICANT(S) FOR DO/EO/US Michael P. VITEK		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li><input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li><input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li><input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been transmitted by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li><input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been transmitted by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11. to 16. Below concern other document(s) or information included:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li><input type="checkbox"/> Copy of assignment document recorded in U.S. Prov. App. S/N 60/093,546 is included.</li> <li><input type="checkbox"/> A <b>FIRST</b> preliminary amendment.  <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> Other items or information:</li> </ol>		

17. ☒ The following fees are submitted:**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO .....\$860.00

International preliminary examination fee paid to USPTO  
(37 CFR 1.482) .....\$770.00No international preliminary examination fee paid to USPTO  
(37 CFR 1.482) but international search fee paid to USPTO  
(37 CFR 1.445(a)(2)) .....\$710.00Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to  
USPTO. ....\$1000.00International preliminary examination fee paid to USPTO  
(37 CFR 1.482) and all claims satisfied provisions of PCT  
Article 33(1)-(4). ....\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20  
☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$130.00

Claims	Number Filed	Number Extra	Rate
Total Claims	-20 =	0	X \$18.00
Independent Claims	-3 =	0	X \$78.00

\$

\$

Multiple dependent claim(s) (if applicable) + \$260.00

\$

TOTAL OF ABOVE CALCULATIONS =

\$130.00

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity  
statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$65.00

SUBTOTAL =

\$

Processing fee of \$130.00 for furnishing the English translation later than  
☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$65.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment  
must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00  
per property +

\$

TOTAL FEES ENCLOSED =

\$65.00

Amount to be refunded	\$
charged	\$

a. ☒ A check in the amount of \$65.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the  
above fees. A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 50-0220.NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must  
be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kenneth D. Sibley  
Myers Bigel Sibley & Sajovec P.A.  
PO Box 37428  
Raleigh, NC 27627"Express Mail" mailing label number E1733093653US  
Date of Deposit March 20, 2001I hereby certify that this paper or fee is being deposited with the  
United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date indicated  
above and is addressed to DO/HQ/US, Commissioner for Patents,  
Washington, D.C. 20231.Vickie Diane Prior  
Date March 20, 2001

SIGNATURE

31.665  
REGISTRATION NUMBER